

Report Date: July 13, 2015

**United States District Court**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

**Jul 13, 2015**

SEAN F. McAVOY, CLERK

**Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Matthew John Devins

Case Number: 0980 4:14CR06051-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, U.S. District Judge

Date of Original Sentence: October 5, 2011

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 924(a)(2)

Original Sentence: Prison 37 months; TSR - 36 months  
Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson

Date Supervision Commenced: October 25, 2013

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: October 24, 2016

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

- 1      **Special Condition # 20:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

**Supporting Evidence:** Matthew Devins is considered to be in violation of his period of supervised release by being removed from inpatient chemical dependency treatment on or prior to July 7, 2015.

The defendant entered inpatient chemical dependency treatment at Sun Ray Court in Spokane, Washington, on June 16, 2015. The defendant failed treatment and was discharged on July 6, 2015. The discharge notes stated, "Client has been to the emergency room several times complaining of pain. Client accepted a narcotic pain medication prescription that is against Sun Ray Court policy. Client used up all of that medication and returned to the emergency room. Client again accepted a prescription of the same narcotic but was unable to have it filled due to being flagged. Client then began to refuse the non-narcotic medication that was prescribed to him that would possibly make the pain better. Client also removed a catheter against doctor's orders."

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**Special Condition # 18:** You shall actively participate and successfully complete an approved state-certified sex offender treatment program. You shall follow all lifestyle restrictions and treatment requirements of the program. You shall participate in special testing in the form of polygraphs, in order to measure compliance with the treatment program requirements. You shall allow reciprocal release of information between the supervising officer and the treatment provider. You shall pay for treatment and testing according to your ability.

**Supporting Evidence:** Matthew Devins is considered to be in violation of his period of supervised release by being removed from sex offender treatment.

As noted within the no action violation report dated May 11, 2015, the defendant was removed from sex offender treatment due to the noncompliance on January 9, 2015. About the same time, the defendant tested positive for the presence of methamphetamine. The defendant requested to enter sex offender treatment with another provider which he would pay for. The defendant was removed from sex offender treatment shortly after starting due to his drug use. The defendant could contact the sex offender therapist once he completed his assessed inpatient drug treatment. As noted above, the defendant was removed from chemical dependency treatment on July 7, 2015.

On July 13, 2015, contact was made with the sex offender therapist and it was confirmed that he would not be entered into treatment.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 07/13/2015

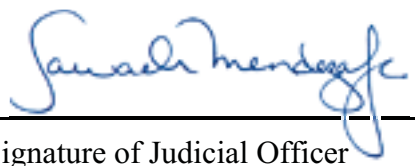
s/David L. McCary

David L. McCary  
U.S. Probation Officer

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#### THE COURT ORDERS

- ☐ No Action  
☒ The Issuance of a Warrant  
☐ The Issuance of a Summons  
☐ Other

  
 Signature of Judicial Officer

07/13/2015

Date